

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



Applicants: Koichi Ohto, et al. Examiner: Ori Nadav  
Serial No: 10/767,786 Art Unit: 2811  
Filed: January 29, 2004 Docket: 17408  
For: SEMICONDUCTOR DEVICE,  
AND PRODUCTION METHOD  
FOR MANUFACTURING SUCH  
SEMICONDUCTOR DEVICE  
Dated: July 8, 2005

Confirmation No. 7289

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO COMMUNICATION OF JUNE 21, 2005**

Sir:

Pursuant to the communication of June 21, 2005, applicants provisionally elect without traverse the Claims of Group I, i.e., Claims 1-38 for continued prosecution herein.

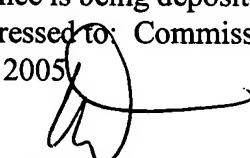
Claims 1-82 are present in the above-captioned application and have been subjected to restriction under 35 U.S.C. §121. Specifically, the Official Action avers that the following inventions are present in the claims:

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O., Box 1450, Alexandria, VA 22313-1450, on July 8, 2005.

Dated: July 8, 2005

  
Richard J. Danyko

Group I, Claims 1-38, drawn to a semiconductor device, classified in class 257, subclass 635.

Group II, Claims 39-82, drawn to a process of making a semiconductor device, classified in class 438, subclass 22+.

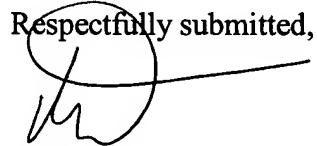
It is the Examiner's position that the inventions listed as Groups I and II are distinct from each other.

In response to the Examiner's requirement for restriction, Applicants provisionally elect without traverse to prosecute the subject matter of Group I, Claims 1-38. However, Applicants reserve the right under 35 U.S.C. § 121 to file one or more divisional applications directed to the non-elected claims in this application.

Further, as requested by the examiner, the applicants elect the embodiment of Figure 2 for consideration at the present time.

Claims 1-15 are directed to the first and second embodiments shown in Figs. 2 and 8, respectively. Claims 16-26 are directed to the first embodiment of Fig. 2, and claims 27-38 are directed to the second embodiment of Fig. 2.

In view of the foregoing, an examination on the merits of the elected claims, at an early date, is earnestly solicited.

Respectfully submitted,  


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JUL 11 2005

TRANSMITTAL LETTER  
(General - Patent Pending)

Docket No.  
17408

In re Application Of: Koichi Ohto, et al.

|                                      |  |                              |                              |                               |                                 |
|--------------------------------------|--|------------------------------|------------------------------|-------------------------------|---------------------------------|
| Application No.<br><b>10/767,786</b> | Filing Date<br><b>January 29, 2004</b> | Examiner<br><b>Ori Nadav</b> | Customer No.<br><b>23389</b> | Group Art Unit<br><b>2811</b> | Confirmation No.<br><b>7289</b> |
|--------------------------------------|--|------------------------------|------------------------------|-------------------------------|---------------------------------|

Title: SEMICONDUCTOR DEVICE, AND PRODUCTION METHOD FOR  
MANUFACTURING SUCH SEMICONDUCTOR DEVICE

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Response to Communication of June 21, 2005

in the above identified application.

- No additional fee is required.
- A check in the amount of \_\_\_\_\_ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. **19-1013/SSMP** as described below.
  - Charge the amount of \_\_\_\_\_
  - Credit any overpayment.
  - Charge any additional fee required.
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**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Signature

Dated: July 8, 2005

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July 8, 2005

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